AMENDMENT TO THE CLAIMS

Please amend the claims as follows:

1.   (Currently Amended) A method for providing a data stream according to preferences of a community, the steps comprising:

   providing a first community having members, each member of the first

      community having associated preferences regarding data stream content,

      the members of said first community are determined to have at least one

      preference in common;

   determining characteristics of said first community members' preferences to

      provide determined characteristics; and

   selecting content for inclusion in biasing an individual data stream according to

      said determined characteristics, so that said individual data stream being is

      biased according to said first community members' preferences, and

      so that said individual data stream has more content that said first community

      likes and less content that said first community dislikes.

2.   (Currently Amended) A method for providing a data stream according to preferences of a community as set forth in Claim 1, wherein said step of selecting content for inclusion in biasing an individual data stream further comprises:

   selecting content for inclusion in biasing an individual data stream according to

      said determined characteristics, so that said individual data stream being is

      biased for positive preferences of said community and biased against

      negative preferences of said community.

Appl. No. 09/903,033
Amendment and Response Filed With RCE

Docket No. 85804.019501

3.   (Currently Amended) The method for providing a data stream according to preferences of a community as set forth in Claim 1, wherein said step of providing a first community further comprises:

>   providing a second community having at least as many members as said first community, each member of said second community having associated preferences regarding data stream content;
>
>   evaluating said preferences of said second community; and
>
>   determining said first community from said second community, ~~such that~~ members of said first community <u>comprising</u> ~~are~~ members of said second community determined to have at least one preference in common.

4.   (Currently Amended) The method for providing a data stream according to preferences of a community as set forth in Claim 1, wherein the step of <u>selecting content for inclusion in</u> ~~biasing~~ an individual data stream further comprises:

>   <u>selecting content for inclusion in</u> ~~biasing~~ said individual data stream <u>in accordance with sound recording performance restrictions</u> ~~so that it complies with the DMCA~~.

5.   (Currently Amended) The method for providing a data stream according to preferences of a community as set forth in Claim 1, wherein the method further comprises:

transmitting said individual data stream on a voluntary or selectable basis to allow

~~thereby allowing~~ an individual to receive said individual data stream on a

voluntary or selectable basis.

6.   (Currently Amended) A method for providing a data stream according to

preferences of a community, the steps comprising:

providing a second community having at least as many members as a first

community, each member of said second community having associated

preferences regarding data stream content;

evaluating said preferences of said second community; and

determining said first community from said second community, ~~such that~~

members of said first community comprising ~~are~~ members of said second

community determined to have at least one preference in common;

determining characteristics of preferences of said first community to provide

determined characteristics;

selecting content for inclusion in ~~biasing~~ an individual data stream according to

said determined characteristics, ~~so that~~ said individual data stream being ~~is~~

biased according to said determined characteristics, and ~~so that~~ said

individual data stream being ~~is~~ biased for positive preferences of said first

community members and biased against negative preferences of said first

community members; and

transmitting said individual data stream on a voluntary or selectable basis <u>to allow</u>

~~thereby allowing~~ an individual to receive said individual data stream on a

voluntary or selectable basis~~,~~

~~so that said individual data stream has more content that said first community~~

~~likes and less content that said first community dislikes~~.

7.   (Currently Amended) A method for providing a data stream according to

preferences of a community, the steps comprising:

providing a first community having members, said first community being

dynamically self-defining by means of preferences associated with each

member of said first community regarding data stream content, ~~such that~~

said first community <u>comprising</u> ~~comprises~~ members determined to have

at least one preference in common;

determining characteristics of said first community members' preferences to

provide determined characteristics;

<u>selecting content for inclusion in</u> ~~biasing~~ an individual data stream according to

said determined characteristics<u>,</u> ~~so that~~ said individual data stream <u>being</u> ~~is~~

biased according to said first community members' preferences; and

repeating said providing, determining, <u>and selecting</u> ~~biasing~~ steps to re-establish

said first community, to re-establish said preferences and determined

characteristics, and to <u>select content for inclusion in</u> ~~re-biasing~~ said

individual data stream~~;~~

so that said individual data stream has more content that said first community

likes and less content that said first community dislikes.

8.   (Currently Amended) A method for providing a data stream according to
preferences of a community as set forth in Claim 7, wherein said step of <u>selecting content for</u>
<u>inclusion in</u> biasing an individual data stream further comprises:

> <u>selecting content for inclusion in</u> biasing an individual data stream according to
>
> said determined characteristics, so that said individual data stream <u>being</u> is
>
> biased for positive preferences of said community and biased against
>
> negative preferences of said community.

9.   (Currently Amended) The method for providing a data stream according to
preferences of a community as set forth in Claim 7, wherein said step of providing a first
community further comprises:

> providing a second community having at least as many members as said first
>
> community, each member of said second community having associated
>
> preferences regarding data stream content;
>
> evaluating said preferences of said second community; and
>
> determining said first community from said second community, such that
>
> members of said first community <u>comprising</u> are members of said second
>
> community determined to have at least one preference in common.

10.   (Currently Amended) The method for providing a data stream according to preferences of a community as set forth in Claim 7, wherein the step of <u>selecting content for inclusion in</u> ~~biasing~~ an individual data stream further comprises:

> <u>selecting content for inclusion in accordance with sound recording performance restrictions</u> ~~biasing said individual data stream so that it complies with the DMCA.~~

11.   (Currently Amended) The method for providing a data stream according to preferences of a community as set forth in Claim 7, wherein the method further comprises:

> transmitting said individual data stream on a voluntary or selectable basis <u>to allow</u> ~~thereby allowing~~ an individual to receive said individual data stream on a voluntary or selectable basis.

12.   (Previously Presented) The method for providing a data stream according to preferences of a community as set forth in Claim 7, wherein the step of providing a first community further comprises:

> providing a first community, each member of which is determined to provide an artist rating which exceeds a predetermined rating threshold.

13.   (Previously Presented) The method for providing a data stream according to preferences of a community as set forth in Claim 12, wherein the rating corresponds to a scale of 1 to 100 and the predetermined rating threshold is 70.

14.   (Currently Amended) A method for providing a data stream according to preferences of a community, the steps comprising:

>   providing a first community having members, said first community being
>
>>   dynamically self-defining by means of preferences associated with each
>>
>>   member of said first community regarding data stream content;
>
>   providing a second community having at least as many members as said first
>
>>   community, each member of said second community having associated
>>
>>   preferences regarding data stream content;
>
>   evaluating said second preferences of said second community; and
>
>   determining said first community from said second community, ~~such that~~
>
>>   members of said first community <u>comprising</u> ~~are~~ members of said second
>>
>>   community determined to have at least one preference in common;
>
>   determining characteristics of said first community members' preferences to
>
>>   provide determined characteristics;
>
>   <u>selecting content for inclusion in</u> ~~biasing~~ an individual data stream according to
>
>>   said determined characteristics<u>,</u> ~~so that~~ said individual data stream <u>being</u> ~~is~~
>>
>>   biased for positive preferences of said first community members and
>>
>>   biased against negative preferences of said first community members;
>
>   transmitting said individual data stream on a voluntary or selectable basis thereby
>
>>   allowing an individual to receive said individual data stream on a
>>
>>   voluntary or selectable basis; and

Appl. No. 09/903,033
Amendment and Response Filed With RCE

Docket No. 85804.019501

repeating said steps of providing said first community, determining characteristics

to provide said determined characteristics, <u>selecting content for inclusion</u>

<u>in</u> ~~biasing~~ said individual data stream, and transmitting said individual

data stream in order to re-establish said first community, to re-establish

said preferences and determined characteristics, and to <u>select content for</u>

<u>inclusion in</u> ~~re-biasing~~ said individual data stream~~,~~

~~so that said individual data stream has more content that said community likes and~~

~~less content that said community dislikes~~.

15.   (Currently Amended) A method for providing a data stream according to

preferences of a community, the steps comprising:

providing a first community having members, said first community being

dynamically self-defining by means of preferences associated with each

member of said first community regarding data stream content, ~~such that~~

said first community comprising~~es~~ members determined to have at least

one preference in common;

determining characteristics of said first community members' preferences to

provide determined characteristics;

<u>selecting content for inclusion in</u> ~~biasing~~ an individual data stream according to

said determined characteristics~~,~~ ~~so that~~ said individual data stream <u>being</u> ~~is~~

biased according to said first community members' preferences;

receiving preferences from a first user; and

transmitting said individual data stream to said first user, including content highly

rated by said first user according to said preferences of said first user~

~~so that said individual data stream has more content that said community likes and~~

~~less content that said community dislikes and said first user receives~~

~~content rated highly by said user~~.

16.   (Currently Amended) A method for providing a data stream according to

preferences of a community as set forth in Claim 15, wherein said step of <u>selecting content for</u>

<u>inclusion in</u> ~~biasing~~ an individual data stream further comprises:

<u>selecting content for inclusion in</u> ~~biasing~~ an individual data stream according to

said determined characteristics<u>,</u> ~~so that~~ said individual data stream <u>being</u> ~~is~~

biased for positive preferences of said community and biased against

negative preferences of said community.

17.   (Currently Amended) The method for providing a data stream according to

preferences of a community as set forth in Claim 15, wherein the step of providing a first

community further comprises:

providing a second community having at least as many members as said first

community, each member of said second community having associated

preferences regarding data stream content;

evaluating said preferences of said second community; and

determining said first community from said second community, ~~such that~~

members of said first community <u>comprising</u> ~~are~~ members of said second

community determined to have at least one preference in common.

18.   (Currently Amended) The method for providing a data stream according to

preferences of a community as set forth in Claim 15, wherein the step of <u>selecting content for</u>

<u>inclusion in</u> ~~biasing~~ an individual data stream further comprises:

<u>selecting content for inclusion in</u> ~~biasing~~ said individual data stream <u>in</u>

<u>accordance with sound recording performance restrictions</u> ~~so that it~~

~~complies with the DMCA~~.

19.   (Currently Amended) The method for providing a data stream according to

preferences of a community as set forth in Claim 15, wherein the step of transmitting said

individual data stream further comprises:

transmitting said individual data stream on a voluntary or selectable basis <u>to allow</u>

~~thereby allowing~~ an individual to receive said individual data stream on a

voluntary or selectable basis.

20.   (Previously Presented) The method for providing a data stream according to

preferences of a community as set forth in Claim 15, wherein the step of providing a first

community further comprises:

providing a first community, each member of which is determined to provide an

artist rating which exceeds a predetermined rating threshold.

21.   (Previously Presented) The method for providing a data stream according to

preferences of a community as set forth in Claim 20, wherein the rating corresponds to a scale of

1 to 100 and the predetermined rating threshold is 70.

22.   (Currently Amended) A method for providing a data stream according to

preferences of a community, the steps comprising:

provciing a first community having members, said first community being

dynamically self-defining by means of preferences associated with each

member of said first community regarding data stream content;

providing a second community having at least as many members as said first

community, each member of said second community having associated

preferences regarding data stream content;

evaluating said second preferences of said second community; and

determining said first community from said second community, ~~such that~~

members of said first community <u>comprising</u> ~~are~~ members of said second

community determined to have at least one preference in common;

determining characteristics of said first community members' preferences to

provide determined characteristics;

receiving preferences from a first user;

selecting content for inclusion in ~~biasing~~ an individual data stream according to

said determined characteristics and according to said preferences of said

first user, ~~so that~~ said individual data stream being ~~is~~ biased for positive

preferences of said first community members and biased against negative

preferences of said first community members, and ~~so that~~ said individual

data stream being ~~is~~ biased according to said preferences of said first user;

transmitting said individual data stream to said first user, including content highly

rated by said first user according to said preferences of said first user, said

individual data stream transmitted on a voluntary or selectable basis to

allow said first user to receive said individual data stream on a voluntary

or selectable basis; and

repeating said steps of providing said first community, determining characteristics

to provide said determined characteristics, selecting content for inclusion

in ~~biasing~~ said individual data stream, and transmitting said individual

data stream in order to re-establish said first community, to re-establish

said preferences and determined characteristics, and to select content for

inclusion in ~~re-bias~~ said individual data stream~~,~~

~~so that said individual data stream has more content that said community likes and~~

~~less content that said community dislikes and said first user receives~~

~~content rated highly by said user.~~

Appl. No. 09/903,033
Amendment and Response Filed With RCE

Docket No. 85804.019501

23.   (Currently Amended) A method for providing a data stream according to preferences of a community, the steps comprising:

repeatedly receiving preferences from receivers of data stream content of a music-related database including songs and/or music videos;

repeatedly determining a first community of receivers from said received preferences to allow ~~so that~~ said first community to evolves over time, said first community having similar preferences for similar data stream content;

repeatedly determining characteristics solely of said received preferences of said first community to provide determined characteristics; and

selecting content for inclusion in ~~biasing~~ an individual data stream of said music-related database according to said determined characteristics, ~~so that~~ said individual data stream being ~~is~~ biased according to said received preferences of said first community,

~~so that~~ said individual data stream having ~~continually has~~ more content that said first community likes and less content that said first community dislikes without analysis of said data stream content, and ~~so that~~ both said first community and said determined characteristics are permitted to change over time according to said received preferences of said first community.

24.   (Currently Amended) A method for providing a data stream according to

preferences of a community as set forth in Claim 23, wherein said step of <u>selecting content for</u>

<u>inclusion in</u> ~~biasing~~ an individual data stream further comprises:

> <u>selecting content for inclusion in</u> ~~biasing~~ an individual data stream according to
>
> > said determined characteristics<u>,</u> ~~so that~~ said individual data stream <u>being</u> ~~is~~
> >
> > biased for positive preferences of said first community and biased against
> >
> > negative preferences of said first community.

25.   (Currently Amended) The method for providing a data stream according to

preferences of a community as set forth in Claim 23, wherein the step of repeatedly receiving

preferences from receivers of data stream content further comprises:

> repeatedly receiving preferences of a second community, said second community
>
> > having at least as many members as said first community, said received
> >
> > preferences regarding data stream content of said music-related database;
>
> repeatedly evaluating said preferences of said second community; and
>
> repeatedly determining said first community from said second community, ~~such~~
>
> > ~~that~~ members of said first community <u>comprising</u> ~~are~~ members of said
> >
> > second community determined to have at least one preference in common.

26.   (Currently Amended) The method for providing a data stream according to

preferences of a community as set forth in Claim 23, wherein the step of <u>selecting content for</u>

<u>inclusion in</u> ~~biasing~~ an individual data stream further comprises:

selecting content for inclusion in ~~biasing~~ said individual data stream <u>in</u>

accordance with sound recording performance restrictions ~~so that it~~

~~complies with the DMCA~~.

27.   (Currently Amended) The method for providing a data stream according to

preferences of a community as set forth in Claim 23, wherein the method further comprises:

transmitting said individual data stream on a voluntary or selectable basis <u>to allow</u>

~~thereby allowing~~ an individual to receive said individual data stream on a

voluntary or selectable basis.

28.   (Currently Amended) A method for providing a data stream according to

preferences of a community, the steps comprising:

repeatedly receiving preferences of a first community having a plurality of

members, said first preferences regarding data stream content of a first

music-related database including songs and/or music videos;

repeatedly receiving preferences of a second community, said second community

having at least as many members as said first community, said received

preferences regarding data stream content of said music-related database;

evaluating said received preferences of said second community to provide

evaluated preferences;

repeatedly determining said first community from said second community by

means of said evaluated preferences with members of said first community

having at least one preference in common;

repeatedly determining characteristics solely of said first community members'

preferences with regard to said data stream content to provide determined

characteristics;

selecting content for inclusion in biasing an individual data stream of said music-

related database according to said determined characteristics, so that said

individual data stream being is biased according to said determined

characteristics, and so that said individual data stream being is biased for

positive preferences of said first community and biased against negative

preferences of said first community; and

transmitting said individual data stream on a voluntary or selectable basis to allow

thereby allowing an individual to receive said individual data stream on a

voluntary or selectable basis,

so that said individual data stream having continually has more content that said

first community likes and less content that said first community dislikes

without resort to analysis of said data stream content, and both said first

community and said determined characteristics are permitted to change

over time according to, respectively, said preferences of said second

community and said preferences of said first community.

29.   (Currently Amended) A computer-implemented method for providing a data
stream according to preferences of a community, the steps comprising:

repeatedly receiving preferences from receivers of data stream content of a music-

related database including songs and/or music videos;

repeatedly determining a first community of receivers from said received

preferences, said first community having similar preferences for similar

data stream content;

repeatedly determining characteristics solely of said received preferences of said

first community to provide determined characteristics; and

selecting content for inclusion in biasing an individual data stream of said

music-related database according to said determined characteristics, so

that said individual data stream being is biased according to said received

preferences of said first community,

so that said individual data stream having continually has more content that said

evolving first community likes and less content that said first community

dislikes without analysis of said data stream content, and so that both said

first community and said determined characteristics are permitted to

change over time according to said received preferences of said first

community.

Appl. No. 09/903,033
Amendment and Response Filed With RCE

Docket No. 85804.019501

30.   (Currently Amended) A computer-implemented method for providing a data stream according to preferences of a community as set forth in Claim 29, wherein said step of selecting content for inclusion in ~~biasing~~ an individual data stream further comprises:

selecting content for inclusion in ~~biasing~~ an individual data stream according to said determined characteristics, ~~so that~~ said individual data stream being ~~is~~ biased for positive preferences of said first community and biased against negative preferences of said first community.

31.   (Currently Amended) The computer-implemented method for providing a data stream according to preferences of a community as set forth in Claim 29, wherein the step of repeatedly receiving preferences from receivers of data stream content further comprises:

repeatedly receiving preferences of a second community, said second community having at least as many members as said first community, said received preferences regarding data stream content of said music-related database;

repeatedly evaluating said preferences of said second community; and

repeatedly determining said first community from said second community, ~~such~~ ~~that~~ members of said first community comprising ~~are~~ members of said second community determined to have at least one preference in common.

32.   (Currently Amended) The computer-implemented method for providing a data stream according to preferences of a community as set forth in Claim 29, wherein the step of selecting content for inclusion in ~~biasing~~ an individual data stream further comprises:

selecting content for inclusion in ~~biasing~~ said individual data stream in

accordance with sound recording performance restrictions ~~so that it~~

~~complies with the DMCA~~.

33.   (Currently Amended) The computer-implemented method for providing a data

stream according to preferences of a community as set forth in Claim 29, wherein the method

further comprises:

transmitting said individual data stream on a voluntary or selectable basis to allow

~~thereby allowing~~ an individual to receive said individual data stream on a

voluntary or selectable basis.

34.   (Currently Amended) A computer-implemented method for providing a data

stream according to preferences of a community, the steps comprising:

repeatedly receiving preferences of a first community having a plurality of

members, said preferences regarding data stream content of a music-

related database including songs and/or music videos;

repeatedly receiving preferences of a second community, said second community

having at least as many members as said first community, said received

preferences regarding data stream content of said music-related database;

evaluating said preferences of said second community to provide evaluated

second preferences;

Appl. No. 09/903,033
Amendment and Response Filed With RCE

Docket No. 85804.019501

repeatedly determining said first community from said second community by

means of said evaluated second preferences, ~~such that~~ members of said

first community <u>comprising</u> ~~are~~ members of said second community

determined to have at least one preference in common;

repeatedly determining characteristics solely of said first community members'

preferences with regard to said data stream content to provide determined

characteristics;

<u>selecting content for inclusion in</u> ~~biasing~~ an individual data stream of said music-

related database according to said determined characteristics, ~~so that~~ said

individual data stream <u>being</u> ~~is~~ biased according to said determined

characteristics, and ~~so that~~ said individual data stream <u>being</u> ~~is~~ biased for

positive preferences of said first community and biased against negative

preferences of said first community; and

transmitting said individual data stream on a voluntary or selectable basis <u>to allow</u>

~~thereby allowing~~ an individual to receive said individual data stream on a

voluntary or selectable basis,

~~so that~~ said individual data stream <u>having</u> ~~continually has~~ more content that said

first community likes and less content that said first community dislikes

without resort to analysis of said data stream content, and ~~so that~~ both said

first community and said determined characteristics are permitted to

change over time according to, respectively, said preferences of said

second community and said preferences of said first community.

35.   (Currently Amended) A computer system for providing transmission of a data

stream according to preferences of a community, comprising:

> a server located in a first location, said server repeatedly receiving preferences
>
> > from users, said users being receivers of data stream content of a music-
> >
> > related database including songs and/or music videos;
>
> said server repeatedly determining a first community from said received
>
> > preferences, said first community having similar preferences for similar
> >
> > content in said first data streams;
>
> said server repeatedly determining characteristics solely of said preferences of
>
> > said first community with regard to said data stream content to provide
> >
> > determined characteristics; and
>
> said server selecting content for inclusion in ~~biasing~~ an individual data stream of
>
> > said music-related database according to said determined characteristics,
> >
> > ~~so that~~ said individual data stream being ~~is~~ biased according to said
> >
> > received preferences of said first community;
>
> said individual data stream having ~~continually has~~ more content that said evolving
>
> > first community likes and less content that said first community dislikes
> >
> > without analysis of said data stream content, and ~~so that~~ both said first
> >
> > community and said determined characteristics are permitted to change
> >
> > over time according to said preferences of said first community.

36.   (Currently Amended) A computer system for providing a data stream according to preferences of a community as set forth in Claim 35, wherein said server <u>selecting content for inclusion in</u> ~~biasing~~ an individual data stream further comprises:

said server <u>selecting content for inclusion in</u> ~~biasing~~ an individual data stream according to said determined characteristics<u>,</u> ~~so that~~ said individual data stream <u>being</u> ~~is~~ biased for positive preferences of said first community and biased against negative preferences of said first community.

37.   (Previously Presented) The computer system for providing a data stream according to preferences of a community as set forth in Claim 35, wherein said server repeatedly receiving preferences from receivers of content in first data streams further comprises:

said server repeatedly receiving preferences of a second community, said second community having at least as many members as said first community, said received preferences regarding data stream content of said music-related database;

said server repeatedly evaluating said preferences of said second community; and

said server repeatedly determining said first community from said second community members of said first community are members of said second community determined to have at least one preference in common.

38.   (Currently Amended) The computer system for providing a data stream

according to preferences of a community as set forth in Claim 35, wherein said server selecting

content for inclusion in biasing an individual data stream further comprises:

said server selecting content for inclusion in biasing said individual data stream in

accordance with sound recording performance restrictions so that it

complies with the DMCA.

39.   (Currently Amended) The computer system for providing a data stream

according to preferences of a community as set forth in Claim 35, wherein said system further

comprises:

said server transmitting said individual data stream on a voluntary or selectable

basis to allow thereby allowing an individual to receive said individual

data stream on a voluntary or selectable basis.

40.   (Previously Presented) The computer system for providing a data stream

according to preferences of a community as set forth in Claim 35, further comprising:

said server being in said first location and at least one of said users being in a

second location, said second location being a different country than said

first location.

41.   (Currently Amended) A computer system for providing a data stream according

to preferences of a community, comprising:

Appl. No. 09/903,033
Amendment and Response Filed With RCE

Docket No. 85804.019501

a server repeatedly receiving preferences of a first community having a plurality

of members, said received preferences regarding data stream content of a

first music-related database including songs and/or music videos;

said server repeatedly receiving preferences of a second community having a

plurality of members, said second preferences regarding data stream

content of said music-related database;

said server evaluating said second preferences of said second community to

provide evaluated second preferences;

said server repeatedly determining said first community from said second

community by means of said evaluated second preferences with members

of said first community having at least one preference in common;

said server repeatedly determining characteristics solely of said first community

members' preferences with regard to said data stream content to provide

determined characteristics;

said server selecting content for inclusion in ~~biasing~~ an individual data stream of

said music-related database according to said determined characteristics,

~~so that~~ said individual data stream being ~~is~~ biased according to said

determined characteristics, and ~~so that~~ said individual data stream being ~~is~~

biased for positive preferences of said first community and biased against

negative preferences of said first community; and

said server transmitting said individual data stream on a voluntary or selectable

basis to allow ~~thereby allowing~~ an individual to receive said individual

data stream on a voluntary or selectable basis,

~~so that~~ said individual data stream having ~~continually has~~ more content that said

first community likes and less content that said first community dislikes

without resort to analysis of said data stream content, and ~~so that~~ both said

first community and said determined characteristics are permitted to

change over time according to, respectively, said preferences of said

second community and said preferences of said first community.

42.   (Previously Presented) The computer system for providing a data stream

according to preferences of a community as set forth in Claim 41, further comprising:

said server being in said first location and at least one member of said first or

second communities being in a second location, said second location being

a different country than said first location.